

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2275-01  
Bill No.: HB 973  
Subject: Crimes and Punishment; Entertainment, Sports and Amusements  
Type: Original  
Date: May 8, 2001

---

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	Less than (\$100,000)	Less than (\$100,000)	Less than (\$100,000)
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>Less than (\$100,000)</b>	<b>Less than (\$100,000)</b>	<b>Less than (\$100,000)</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 4 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Office of the State Public Defender** and **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on their agencies.

In response to a similar proposal (SB 137), officials from the **Office of Prosecution Services (OPS)** assume the proposal could impact the caseloads of local prosecutors; however, OPS assumes that the impact on a given office would be minimal and could be absorbed with existing resources.

In response to a similar proposal (SB 137), officials from the **Department of Corrections (DOC)** stated that they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in the proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the courts. If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (FY99 average \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (FY 99 average \$2.47 per offender, per day). Supervision by the DOC through probation or incarceration would result in some additional costs, but DOC officials assume that the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

The following factors contribute to DOC's minimal assumption:

- DOC assumes the narrow scope of the crime will not encompass a large number of offenders.
- The low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence.
- The probability exists that offenders would be charged with a similar but more serious offense or that sentences may run concurrent to one another.

The need for additional capital improvements or rental space is not anticipated at this time. It must be noted that the cumulative effect of various new legislation, if adopted, could result in the need for additional capital improvements funding if the total number of new offenders exceeds current planned capacity.

**Oversight** assumes that the conviction and incarceration of only one person would create a minimal fiscal impact to the DOC of less than \$100,000 annually.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
<b>GENERAL REVENUE FUND</b>			
<u>Costs - Department of Corrections</u> Incarceration/Probation Costs	Less than <u>(\$100,000)</u>	Less than <u>(\$100,000)</u>	Less than <u>(\$100,000)</u>
<b>ESTIMATED EFFECT ON GENERAL REVENUE FUND</b>	<b>Less than <u>(\$100,000)</u></b>	<b>Less than <u>(\$100,000)</u></b>	<b>Less than <u>(\$100,000)</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u><b>\$0</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation creates the class D felony of intimidation of an athletic coach, manager, or sports official. A person is guilty of the crime if he or she commits assault in the third degree, which would otherwise be a class A misdemeanor as set out in Section 565.070, RSMo, against a coach, manager, or sports official and the assault is motivated by the victim's status as a coach, manager, or sports official.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Public Defender  
Office of State Courts Administrator  
Department of Corrections  
Office of Prosecution Services

**NOT RESPONDING: Department of Corrections, Office of Prosecution Services**

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "T".

Jeanne Jarrett, CPA  
Director

May 8, 2001